

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

George Gregory Geib, II
a.k.a.
George Gregory Geib, Jr,

Plaintiff,

v.

Sheriff John Skipper; Major Garry L. Bryant;
Sheriff Department; Captain A. Jones; Lt. D.
Hankins; Sgt. W. T. Vaughn; and Sgt. J.
Thompson,

Defendants.

C/A No.: 4:15-cv-04663-TLW

ORDER

Plaintiff George Gregory Geib, II, proceeding pro se and in forma pauperis, filed this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. ECF No. 1. The matter now comes before this Court for review of a Report and Recommendation (R&R) filed by Magistrate Judge Rogers, ECF No. 19, to whom this case was assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), DSC. In the R&R, the Magistrate Judge recommends that the Court summarily dismiss Plaintiff's complaint without issuance and service of process because Plaintiff failed to allege facts setting forth a currently cognizable claim in federal district court and failed to prosecute his case. ECF No. 19. Objections to the R&R were due on April 11, 2016. Plaintiff has not filed objections; however, the Court notes that the R&R was mailed¹ to Plaintiff on March 23, 2016, and returned as undeliverable on April 4, 2016. ECF Nos. 20, 21.

¹ Plaintiff's complaint, ECF No. 1, listed his address at the Anderson County Detention Center. The Court mailed all materials to the detention center. See ECF Nos. 8, 13, 14, 20, 21. It appears

The Court also notes, as the Magistrate Judge noted in footnote seven of the R&R, that Plaintiff failed to follow the Court's order regarding changes to his address. The record reflects that the Magistrate Judge issued an initial proper form order on December 30, 2015. ECF No. 6. The proper form order included an order to notify the Clerk of Court if Plaintiff's address changed:

You are ordered to always keep the Clerk of Court advised **in writing** (**Post Office Box 2317, Florence, South Carolina 29503**) if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this Order, you fail to meet a deadline set by this court, your case may be dismissed for violating this Order. Therefore, if you have a change of address before this case is ended, you must comply with this Order by immediately advising the Clerk of Court in writing of such change of address and providing the court with the docket number of all pending cases you have filed with this court. Your failure to do so will not be excused by the court.

Id. at 2–3 (emphasis in original). The initial proper form order was not returned as undeliverable; however, the record reflects a second proper form order, ECF No. 14, and the R&R, ECF No. 21, were returned as undeliverable. The docket also reflects that the Clerk's staff searched the Anderson County Detention Center website for Plaintiff without success on March 7, 2016. ECF No. 15.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's R&R to which a specific objection is registered and may accept, reject, or modify, in whole or in part, the recommendations contained in that R&R. 28 U.S.C. § 636. In the absence of objections to the R&R, this Court is not required to give any explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199–200 (4th Cir. 1983).

This Court carefully reviewed the R&R in this case. Noting that Plaintiff filed no objections and failed to properly inform the Court of his change of address, the R&R, ECF No. 19, is hereby

that Plaintiff was released, failed to notify the Court of a new address, and has abandoned his claim.

ACCEPTED. Therefore, for the reasons articulated by the Magistrate Judge in the R&R and for Plaintiff's failure to update his address as ordered, Plaintiff's claims are hereby **DISMISSED.**

IT IS SO ORDERED.

s/Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

May 10, 2017
Columbia, South Carolina